

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

GILMAR ALEXANDER GUEVARA,	§	
	§	
Petitioner,	§	
	§	
VS.	§	MISC. ACTION NO. H-06-441
	§	
NATHANIEL QUARTERMAN,	§	
	§	
Respondent.	§	

**ORDER CONDITIONALLY GRANTING
MOTION FOR APPOINTMENT OF COUNSEL**

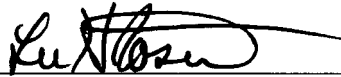
Petitioner is a Texas death row inmate. He has filed a motion for appointment of counsel to assist him in his habeas corpus petition.

Title 18 U.S.C. § 3599(a)(2) provides for appointment of counsel in a habeas corpus proceeding when the petitioner is financially unable to obtain adequate representation on his own. Guevara's motion, however, contains no proof that he is indigent.

Considering the time-sensitive nature of Guevara's application, his motion will be conditionally granted. Guevara must, however, file the necessary proof of indigence within 30 calendar days of the date of this order. That proof may come in the form of an affidavit stating: (1) the source and amount of all income received, if any, within the past 12 months; (2) any money Guevara has in any checking, savings, or prison account, including the balances and a list of all deposits into any such account over the past six months; and (3) any ownership interest in any real estate, securities, automobiles, or other valuable property.

The petitioner's Motion for Appointment of Counsel (Docket Entry No. 4) is granted. Jani Maselli, Esquire, 808 Travis Street, 24th Floor, Houston, Texas 77002, (713) 757-0684 (phone), (713) 650-1602 (fax), is appointed to represent Guevara in this habeas corpus proceeding. If the petitioner does not submit to the court proof of his indigence within 30 days of the day of this order, this court will withdraw this appointment of counsel.

SIGNED on July 9, 2007, at Houston, Texas.

A handwritten signature in black ink, appearing to read 'Lee H. Rosenthal', is written over a horizontal line.

Lee H. Rosenthal
United States District Judge